

THE HONOURABLE SRI JUSTICE V. ESWARAI AH

WRIT PETITION No.20968 OF 1995

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DATED: 19-09-2006

BETWEEN

B. Bhaskara Rao, S/o. Venkatachalam,
R/o. Medacherla, Via K. Kotapadu Mandalam,
Visakhapatnam District.

...PETITIONER

AND

A.P.S.E.Board, rep. by its Member Secretary,
Vidyuth Soudha, Somajiguda, Hyderabad
and others.

...RESPONDENTS

ORDER:

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Petitioner seeks a Writ of Mandamus to direct the respondents to appoint him as Helper in terms of Board's Memo dated 26.08.1985 with effect from the date on which his juniors have been appointed with all attendant and consequential benefits.

Learned counsel for the petitioner submits that the petitioner worked as Ex-Casual Labour for a period of 20 days between various spells i.e. 22.08.1981 to 26.08.1981; 28.08.1981 to 31.08.1981 and 01.09.1981 to 11.09.1981 respectively and his services have been retrenched for want of work. He further submits that the records of the third respondent clearly show that the petitioner worked for the said period. While so, pursuant to the agreement entered by the respondent - Board with the unions, the Board issued a circular dated 26.08.1985 laying down the guidelines for reengagement and absorption of ex-casual labourers. Pursuant to the said

circular a list of ex-casual labour was got published in newspapers but the name of the petitioner was not found. Therefore, it is stated that the petitioner made representations dated 21.12.1994, 04.05.1995 and 08.04.1999 before the third respondent for including his name in the list of Ex-Casual Labour but the same have not been considered and disposed of.

Learned counsel further submits that the respondent – Board issued a memo dated 14.09.2003 giving another opportunity to Ex-Casual Labour to appear for interview. He further submits that in spite of several representations submitted by the petitioner, his case is not considered.

Unfortunately, the respondents have not filed a counter either admitting or disputing the said allegations. However, as I do not see any proof of acknowledgment of filing the aforesaid representations, the petitioner is permitted to file a fresh representation within two weeks from the date of receipt of a copy of this order enclosing earlier representations. On such a representation being filed, the second respondent and his successor in interest is directed to consider and dispose the said representation within four weeks thereafter.

The writ petition is accordingly disposed of. There shall be no order as to costs.

September 19, 2006
DSK

V. ESWARAIAH, J